

October 21, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: Notice of *Ex Parte* presentation in: WT Docket No. 08-7

Dear Ms. Dortch:

On behalf of Public Knowledge, this letter is to provide information relating to discussions between Public Knowledge (PK), representatives of the Mobile Internet Content Coalition (MICC), John Does 1-3, and members of the Commission's staff on October 20, 2010.

The identities of the John Does are withheld pursuant to 47 C.F.R. § 1.1204 (a)(9) and agreement with the Commission's Office of General Counsel.

Harold Feld, PK; Michael Weinberg, PK; Michael Hazzard, MICC, Jason Koslofsky, MICC, and John Doe 1,2, and 3 (Attendees) attended a sequence of meetings with Charles Mathias and Commissioner Meredith Attwell Baker, FCC; Rick Kaplan and Josh Gottheimer, Office of Chairman Genachowski, FCC; John Giusti, Office of Commissioner Copps, FCC; Louis Peraetz, Office of Commissioner Clyburn, FCC; and Angela Giancarlo, Office of Commissioner McDowell, FCC.

Attendees described the rapid growth of text messaging, and short codes in particular. Short codes have moved beyond simple games and advertising and are now used for enterprise communications, healthcare applications, and can be especially valuable for reaching disenfranchised communities without regular access to wireline Internet or costly smartphones. One of the results of this growth is that the existing short code system is now ill suited and incapable of fostering a vibrant and sustainable communications and business universe.

Deficiencies in the current short code system prevent businesses from growing because it forces the entire industry under a cloud of uncertainty. The current system appears to lack adequate feedback loops, and as a result carriers are unwilling or unable to keep pace with the innovation occurring in the short code industry. Simple business transactions are made impossible by existing short code industry rules.

The current system also does not provide for universal carrier recognition of short codes. As a result, important messages often fail to reach targeted communities. This has become especially problematic with carriers who target economically disadvantaged communities. It can also prevent important public safety messages from reaching individuals and groups who rely on text messaging as their primary form of digital communication.

In light of this, Attendees requested that the FCC move quickly to resolve PK's text message petition in this docket. The only way for the Commission to guarantee ubiquitous and seamless communications on the fastest growing platform for communications is to provide regulatory clarity for text messaging and short codes.

In accordance with the FCC's *ex parte* rules, this document is being electronically filed in the above-referenced docket today.

Sincerely,

/s/
Michael Weinberg
Staff Attorney
Public Knowledge

CC: Commissioner Meredith Attwell Baker
Angela Giancarlo
John Giusti
Josh Gottheimer
Rick Kaplan
Charles Mathias
Louis Peraetz